

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

10/506893

In re Application of

Eming et al.

Serial No.: 10/506,893

I.A. Filing date: March 6, 2003



) Att. Dkt.: 3030-101

) Examiner: unknown

) Group Art Unit: unknown

For: **PROTEOLYSIS RESISTANT ACTIVE VEGF**

**Petition for Extension of Time and Response to Notification of Missing  
Requirements under 35 U.S.C. §371**

**Mail Stop Missing Parts**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants submit herewith their petition for a four (4) months extension of time to file a response to the Notification of Missing Requirements under 35 U.S.C. §371, extending the time to respond from May 1, 2005 to September 1, 2005. A form PTO-2038 authorizing charging the fee under 37 CFR §1.17(a)(4) is attached (\$795.00). However, the Office is authorized to charge any deficiency in this fee or any other fees required in connection with this filing to representative's deposit account no. 50-3135.

In response to the Notification of Missing Requirements of March 1, 2005, applicants submit herewith the following documents:

- 1.) Copy of the Notification of Missing Requirements under 35 U.S.C. §371;
- 2.) Translation of the application into English;
- 3.) Extra copy of translated drawings;
- 4.) Processing fee under 37 CFR §1.492(f) of \$130.00 for submitting the translation later than 30 months from the priority date (form PTO-2038; \$130.00);

09/07/2005 GFREY1 00000138 10506893

01 FC:2617  
02 FC:1616  
03 FC:2254

65.00 DP  
130.00 IP  
795.00 CH

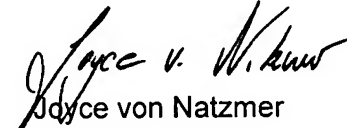
- 5.) The inventors' declaration including a power of attorney;
- 6.) The surcharge under 37 CFR §1.492(e) for late submission of the inventors' declaration (form PTO-2038; \$65.00);
- 7.) An computer readable form (CFR) of the "Sequence Listing;" and
- 8.) A paper copy of the sequence list including an amendment directing its entry as well as a statement that the paper copy corresponds to the CFR of the sequence listing and no new matter has been entered.

Also submitted herewith are:

- 1.) A preliminary amendment;
- 2.) An Information Disclosure Statement; form listing references (1449), and copies of certain references listed therein.

The Commissioner is authorized to charge any fee deficiencies or overpayment made in connection with this filing to representative's deposit account No. 50-3135.

Respectfully submitted,

  
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Reg. No. 48,120  
Attorney for Applicant

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**Date: 09/01/05**

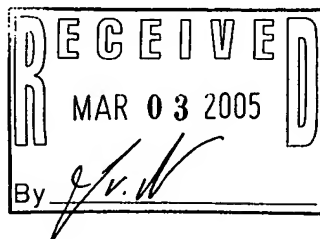


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
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 Alexandria, Virginia 22313-1450  
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U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/506,893	Sabine Eming	3030-101

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INTERNATIONAL APPLICATION NO.	
PCT/EP03/02289	
I.A. FILING DATE	PRIORITY DATE
03/06/2003	03/08/2002

CONFIRMATION NO. 6739  
 371 FORMALITIES LETTER



\*OC000000015237149\*

Date Mailed: 03/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495):

- Indication of Small Entity Status
- Copy of the International Application filed on 09/07/2004
- Copy of the International Search Report filed on 09/07/2004
- Small Entity Statement filed on 09/07/2004
- U.S. Basic National Fees filed on 09/07/2004
- Priority Documents filed on 09/07/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$195** for a Small Entity:

- \$65 Late oath or declaration surcharge.
- \$130 for English translation surcharge required.

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - This application does not contain a "Sequence Listing" as a separate part of the disclosure on paper copy or compact disc, as required by 37 CFR 1.821(c) and PCT Rule 5.2(a).
  - A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e) and PCT Rule 13ter.1(a)(ii).
  - APPLICANT MUST PROVIDE:
    - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
    - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
  - For Rules Interpretation, call (703) 308-4216
  - To Purchase PatentIn Software, call (703) 306-2600
  - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

WINSTON M ALVARADO

Telephone: (703) 308-9140 EXT 206

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/506,893	PCT/EP03/02289	3030-101